

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 4 be amended to read as follows:

1       Page 1, line 3, after "15." insert "(a) This section does not apply to  
2       any of the following:

3       (1) A contract for supplies.

4       (2) A contract entered into by a separately elected state  
5       official.

6       (3) A contract entered into before July 1, 2004.

7       (b)".

8       Page 1, delete lines 5 through 12, begin a new line block indented  
9       and insert:

10       "(1) The contractor must file with the contracting agency an  
11       affidavit affirming under the penalties for perjury that the  
12       contractor has in its files an employment eligibility  
13       verification form required by the Immigration Reform and  
14       Control Act of 1986 (8 U.S.C. 1324a) for each individual that  
15       will be employed in the performance of the contract. The  
16       contractor must file a new affidavit with the contracting  
17       agency any time the contractor assigns an employee who has  
18       not previously worked under the contract to work under the  
19       contract."

20       Page 1, after line 14, begin a new paragraph and insert:

21       "(c) The Indiana department of administration shall adopt rules  
22       under IC 4-22-2 to implement this section. A state agency may  
23       not enter into a contract for services before the department  
24       adopts the rules required by this subsection.

25       (d) The attorney general may not approve a contract for  
26       services if an affidavit required by subsection (b)(1) is not included  
27       as part of the contract documents.

28       SECTION 2. [EFFECTIVE JUNE 30, 2004] (a) The definitions in  
29       IC 5-22-2 apply throughout this SECTION.

1       **(b) Notwithstanding IC 5-22-17-15(c), as added by this act, the**  
2       **Indiana department of administration shall implement**  
3       **IC 5-22-17-15, as added by this act, under interim written**  
4       **guidelines approved by the commissioner of the Indiana**  
5       **department of administration. A state agency may not enter into**  
6       **a contract for services until the commissioner approves interim**  
7       **written guidelines under this subsection.**

8       **(c) This SECTION expires on the earlier of the following:**

9               **(1) The date rules required by IC 5-22-17-15, as added by this**  
10              **act, are adopted under IC 4-22-2.**

11              **(2) July 1, 2006."**

(Reference is to SB 4 as printed January 14, 2004.)

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Senator DROZDA